

REMARKS

By the foregoing Amendment, Claims 1, and 3-9 have been amended, and Claims 2 and 10 have been cancelled. Favorable reconsideration of the application is respectfully requested.

Claims 7 and 8 were objected to as being in improper multiple dependent form, and these claims have now been corrected to depend from Claim 1.

Claims 1-6 and 9-10 were rejected under 35 U.S.C. 112, second paragraph, on the grounds of indefiniteness. Claim 1 has been amended to change the alternative phrasing "tie or strut" to simply "tie" and Claims 2 and 10 have been cancelled, so that it is believed that the rejection of Claims 1-6 and 9-10 on the grounds of indefiniteness can be withdrawn.

Claims 1 and 10 were rejected under 35 U.S.C. 102(b) on the grounds of anticipation by Hogan. Claim 10 has been cancelled, and Claim 1 has been amended to include the subject matter of Claim 2. Claim 1 now recites "said deforming arrangement is so configured as to flatten said deformable member whilst allowing said deformable member to increase in dimension along a cross-sectional direction perpendicular to that in which the cross-sectional dimension of said deformable member is reduced by said flattening." It is respectfully submitted that Hogan discloses a crash-worthy seat in which energy is absorbed by forcing a transverse pin 12 along a slot 19 in a plate 14, but that Hogan does not teach, disclose or suggest a deforming arrangement configured so as to flatten a deformable member while allowing the deformable member to increase in

dimension along a cross-sectional direction perpendicular to that in which its cross-sectional dimension is reduced by flattening. It is therefore respectfully submitted that Claim 1 is novel and inventive over Hogan, and that the rejection of Claim 1 on the grounds of anticipation by Hogan should be withdrawn.

Claims 1-2 and 9-10 were rejected under 35 U.S.C. 102(b) on the grounds of anticipation by Sharon. Claims 2 and 10 have been cancelled. Sharon discloses a crash-worthy seat in which energy absorption is effected by drawing a tube with a round cross-section through a fixed die 30 (see Fig. 3), and subsequently drawing the flattened tube through a die of a variable width defined by the jaws 34a, 34b. At column 3, lines 48-52, Sharon indicates that rod 22 initially has a relatively large diameter as depicted in Fig. 4, which is converted to a somewhat smaller, rectangular cross-section, as depicted in Fig. 5. It is therefore respectfully submitted that Sharon does not teach, disclose or suggest a deforming arrangement configured so as to flatten a deformable member while allowing the deformable member to increase in dimension along a cross-sectional direction perpendicular to that in which its cross-sectional dimension is reduced by flattening. Claim 1 as amended recites "said deforming arrangement is so configured as to flatten said deformable member whilst allowing said deformable member to increase in dimension along a cross-sectional direction perpendicular to that in which the cross-sectional dimension of said deformable member is reduced by said flattening." Further, Claim 9 recites "the dimension of said orifice measured transversely perpendicular to spacing between said flanks being greater than the greatest transverse dimension of the tube after the latter has passed through said orifice." It is also respectfully submitted that

Sharon does not teach, disclose or suggest this feature as recited in Claim 9, so that the claims are novel and inventive over Sharon, and therefore that the rejection relating to Claims 1 and 9 on the grounds of anticipation by Sharon should be withdrawn.

Claims 1-4 and 10 were rejected under 35 U.S.C. 102(e) on the grounds of anticipation by Mort. Claims 2 and 10 have been cancelled. Mort discloses a crash-worthy seat having a variable energy attenuating device utilizing a plastically deformable wire 61 and a wire bending apparatus 63 through which the wire is drawn. It is respectfully submitted that Mort does not teach, disclose or suggest a deforming arrangement configured so as to flatten a deformable member while allowing the deformable member to increase in dimension along a cross-sectional direction perpendicular to that in which its cross-sectional dimension is reduced by flattening. It is therefore respectfully submitted that Claims 1 and 3-4 are novel and inventive over Mort, and that the rejection relating to Claims 1 and 3-4 on the grounds of anticipation by Mort should be withdrawn.

Applicant wishes to thank the Examiner for the indication that Claims 5 and 6 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, second paragraph, and to include the limitations of the base claim and any intervening claims. Claims 5 and 6 have been rewritten in independent form to include the limitations of Claim 1 as corrected, and their respective intervening claims 3 and 4, so that it is believed that Claims 5 and 6 should now be allowable.

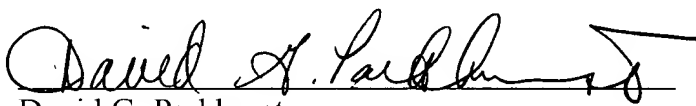
Applicant has reviewed the additional references cited and applied to the claims other than Claim 2, and the prior art made of record and not relied upon, and it is believed

that the remaining references applied are no more pertinent than the references discussed above, and that the additional prior art made of record and not relied upon is no more pertinent than the references actually applied.

In light of the foregoing amendments and remarks, it is respectfully submitted that the application should now be in condition for allowance, and an early favorable action in this regard is respectfully requested.

Respectfully submitted,

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